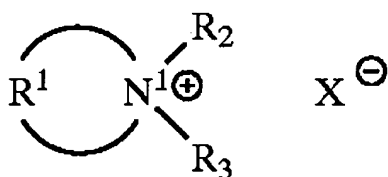


## **AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

### **LISTING OF CLAIMS:**

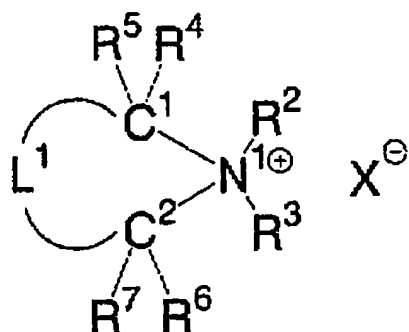
**1. (withdrawn):** An image forming material comprising, on a substrate, an image forming layer which includes at least (A) a novolac type phenolic resin containing phenol as a structural unit, (B) a photo-thermal converting agent, and (C) a compound represented by the following formula (1-1):



Formula (1-1)

wherein in formula (1-1), R<sup>1</sup> represents a residue which, together with N<sup>1</sup>, forms a ring structure; R<sup>2</sup> and R<sup>3</sup> each independently represent an organic group and may combine with each other to form a ring structure; at least one of R<sup>2</sup> and R<sup>3</sup> may combine with R<sup>1</sup> to form a ring structure; and X<sup>-</sup> represents a conjugate base of an organic acid or an inorganic acid.

**2. (withdrawn):** The image forming material according to claim 1, wherein the compound represented by formula (1-1) is represented by the following formula (1-1-a):

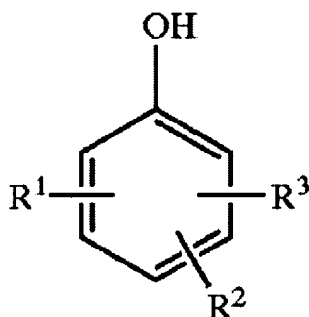


Formula (1-1-a)

wherein in formula (1-1-a), R<sup>2</sup> and R<sup>3</sup> each independently represent an organic group and may combine with each other to form a ring structure; X<sup>⊖</sup> represents a conjugate base of an organic acid or an inorganic acid; R<sup>4</sup> through R<sup>7</sup> each independently represent a hydrogen atom or a substituent, may be the same as or different from one another, and may combine with one another to form a ring; R<sup>4</sup> through R<sup>7</sup> may each combine with L<sup>1</sup>, R<sup>2</sup> or R<sup>3</sup> to form a ring structure; when a bond between L<sup>1</sup> and C<sup>1</sup> or C<sup>2</sup> is a double bond or a triple bond, some of R<sup>4</sup> through R<sup>7</sup> do/does not exist in accordance with the existence of the double bond or the triple bond; L<sup>1</sup> represents a single bond or a divalent linkage group which, together with -C<sup>1</sup>-N<sup>1</sup>-C<sup>2</sup>-, forms a ring structure; R<sup>4</sup> and R<sup>5</sup> may represent an identical atom or an identical substituent so that a bond between C<sup>1</sup> and R<sup>4</sup>, which is also R<sup>5</sup>, becomes a double bond; and R<sup>6</sup> and R<sup>7</sup> may represent an identical atom or an identical substituent so that a bond between C<sup>2</sup> and R<sup>6</sup>, which is also R<sup>7</sup>, becomes a double bond.

**3. (withdrawn):** The image forming material according to claim 1, wherein a mass of the compound represented by formula (1-1) is 50% or less of a mass of a total solids content in the image forming layer.

**4. (withdrawn):** The image forming material according to claim 1, wherein the novolac type phenolic resin is a resin obtained by condensing phenol, a substituted phenol represented by the following formula (I), and an aldehyde:



Formula (I)

wherein in formula (I),  $R^1$  and  $R^2$  each independently represent a hydrogen atom, an alkyl group, or a halogen atom.

**5. (withdrawn):** The image forming material according to claim 4, wherein a phenol content in monomers that constitute the novolac type phenolic resin is from 21 to 90% by mole.

**6. (withdrawn):** The image forming material according to claim 4, wherein a weight average molecular weight of the novolac type phenolic resin is from 500 to 50000.

**7. (withdrawn):** The image forming material according to claim 4, wherein a proportion of the novolac type phenolic resin to a total solids content in the image forming layer is from 0.1 to 20% by mass.

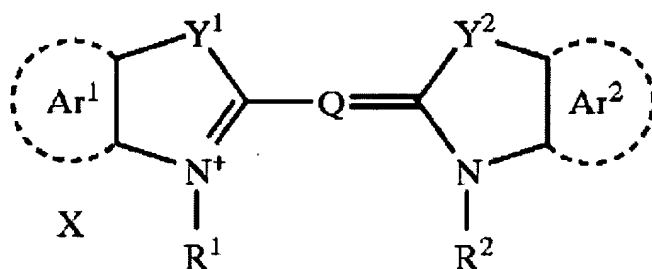
**8. (currently amended):** A positive image forming material comprising, on a substrate, a positive image forming layer which includes at least (A) a novolac type phenolic resin containing phenol as a structural unit, (B) a photo-thermal converting agent, and (C) an onium salt represented by the following formula ~~(1-2)~~(1-2-A):



wherein, in formula ~~(1-2)~~(1-2-A),  $\times R^A$  represents a substituent ~~an anion~~ including at least one substituent that has an alkali dissociative proton and  $M^+$  represents a ~~counter cation~~ selected from the group consisting of a sulfonium ion, an iodonium ion, an ammonium ion, a phosphonium ion, and an oxonium ion and

wherein the positive image forming material does not include a crosslinking agent and

wherein the photo-thermal converting agent is represented by the following formula (a):



Formula (a)

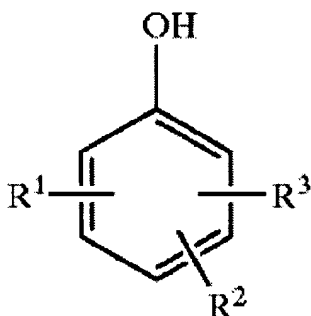
wherein in formula (a), R<sup>1</sup> and R<sup>2</sup> each independently represent an alkyl group having 1 to 12 carbon atoms, and the alkyl group may have a substituent selected from an alkoxy group, an aryl group, an amide group, an alkoxy carbonyl group, a hydroxyl group, a sulfo group or a carboxyl group; Y<sup>1</sup> and Y<sup>2</sup> each independently represent an oxygen atom, a sulfur atom, a selenium atom, a dialkylmethylene group or a -CH=CH-; Ar<sup>1</sup> and Ar<sup>2</sup> each independently represent an aromatic hydrocarbon group and may have a substituent selected from an alkyl group, an alkoxy group, a halogen atom, or an alkoxy carbonyl group; in Ar<sup>1</sup>, the carbon atom adjacent to Y<sup>1</sup> and a carbon atom adjacent to said carbon atom may belong to another ring that is condensed with Ar<sup>1</sup>; in Ar<sup>2</sup>, the carbon atom adjacent to Y<sup>2</sup> and a carbon atom adjacent to said carbon atom may be members of another ring that is condensed with Ar<sup>2</sup>; X represents a counter ion necessary for neutralizing an electric charge, which is not required when the cation moiety of the formula (a) has an anionic substituent; and Q represents a polymethine group selected from a pentamethine group, a heptamethine group or a nonamethine group comprising, in the methine chain thereof, three consecutive carbon atoms that are members of a cyclohexene ring or a cyclopentene ring.

**9. (canceled).**

**10. (currently amended):** The positive image forming material according to claim 8, wherein a mass of the compound represented by formula ~~(1-2)~~(1-2-A) is 50% or less of a mass of a total solids content in the image forming layer.

**11. (previously presented):** The positive image forming material according to claim 8, wherein the novolac type phenolic resin is a resin obtained by condensing phenol, a substituted phenol represented by the following formula (I), and an aldehyde:

General Formula (I)



wherein in formula (I), R<sup>1</sup> and R<sup>2</sup> each independently represent a hydrogen atom, an alkyl group, or a halogen atom and R<sup>3</sup> represents an alkyl group having 3 to 6 carbon atoms or a cycloalkyl group having 3 to 6 carbon atoms.

**12. (previously presented):** The positive image forming material according to claim 11, wherein a phenol content in monomers that constitute the novolac type phenolic resin is from 21 to 90% by mole.

**13. (previously presented):** The positive image forming material according to claim 11, wherein a weight average molecular weight of the novolac type phenolic resin is from 500 to 50000.

**14. (previously presented):** The positive image forming material according to claim 11, wherein a proportion of the novolac type phenolic resin to a total solids content in the image forming layer is from 0.1 to 20% by mass.

**15. (canceled).**

**16. (previously presented):** The positive image forming material according to claim 8, further comprising a resin intermediate layer between the substrate and the positive image forming layer.